



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2171
#2
SP
3-11-04

Applicant: RACHELLE B. HERDMAN)
Serial No.: 09/934,955) Attorneys' Ref. P213892
Filing Date: 08/21/2001) Art Unit: 2171
Title: SYSTEMS AND METHODS FOR STORING AND)
DISTRIBUTING PERSONALIZED INFORMATION)
OVER A COMMUNICATIONS SYSTEM)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

MAR 10 2004
Technology Center 2100

Sir:

In accordance with 37 CFR §1.56, the Applicant respectfully submits this Information Disclosure Statement to call to the attention of the Examiner the references listed on the attached Form PTO/SB/08B for consideration in the prosecution of the above-referenced application for U.S. patent. Copies of these references are attached hereto for the Examiner's convenience.

REMARKS

U.S. Patent No. 6,029,141 to Bezos et al. discloses a software system that facilitates the sale of goods or services over the internet. In particular, this system defines a business method that allows the operator of the web site to sell product on behalf of third party associates in return for a commission.

The Applicant is aware of several web sites currently published on the internet.

The wholefoodsmarket.com web site contains a Health Info portion that allows users to access information through a computerized table of contents. The Health

RECEIVED
MAR 11 2004
TC 2100

Information page links to the "WholeHealthMD.com" site <http://www.wholefoodsmarket.com/healthinfo>. Once there, the 'Healing Centers' and 'Healing Kitchen' sections give information on single health conditions only. The 'personalized' 'MyWholehealth' section, chosen through a button at the bottom of the page, allows selection of only single articles of personal interest.

The healthdirector.com web site contains a health profile portion that allows users to access information through a computerized table of contents. This site contains a list of conditions that may be checked as appropriate for an individual. Based on the conditions checked, this site generates a list of suggested dietary supplements, as well as a list of supplements that should be avoided. Any of these could be taken for the particular conditions selected, they are not prioritized; no indication is given of which are most relevant to the conditions checked. Only a portion of this web site has been printed out and enclosed herewith as a sample.

The cookinglight.com system is a combination of a conventional Table of Contents and conventional Indexes in a computer database that allows the use of simple Boolean searching techniques for combining search terms. For example, one could use the table of contents to focus on styles of cooking (e.g., kid-friendly, vegetarian) and/or use the indexes to select recipes by ingredients (e.g., apples, beans) or characteristics (e.g., low fat, low sodium). The cookinglight.com system does not indicate whether the results are weighted based on personal or health criteria beyond simply including desired ingredients or excluding undesired ingredients.

The wholefoodsmarket.com, WholeHealthMD.com, cookinglight.com, and healthdirector.com web sites allow the user to access information relating to health care and in particular to the affects of food and supplements on health. These references are submitted by way of background only and this submission should not constitute an admission that these are prior art. To the contrary, the Applicant does not know when these web sites were published in a manner that would constitute prior art under 35 U.S.C. Section 102 and in fact believes that these references do not qualify as prior art. These references are thus being discussed as indicative of the state of the art at the time this Information Disclosure Statement is being submitted. In this context, the

Applicant believes that these references support the Applicant's contention that the claimed technology is patentable.

CONCLUSION

The Applicant respectfully submits that the attached references, taken alone or in combination, neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to the pending application is respectfully requested. If there is any matter which could be expedited by consultation with the Applicant's attorney, such would be welcome. The Applicant's attorney can normally be reached at the telephone number below.

Signed at Bellingham, County of Whatcom, State of Washington this 3rd day of March, 2004.

Respectfully submitted,

RACHELLE B. HERDMAN

By Michael R. Schacht
Michael R. Schacht, Reg. No. 33,550
2801 Meridian Street, Suite 202
Bellingham, WA 98225-2412
(360) 647-0400

CERTIFICATE OF MAILING
37 C.F.R. §1.8

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450, on the date shown below.

Signature:

Gloria Smithey

Print Name:

Gloria Smithey

Date:

March 3, 2004